

ATTORNEY OR PETITIONER WITHOUT ATTORNEY (Name, State Bar number, and address):		FOR COURT USE ONLY
TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____		Court or Arresting Agency Case Number: _____
ORDER FOR EXPUNGEMENT OF DNA PROFILES AND SAMPLES (Pen. Code, § 299)		
NAME: _____ CII: _____ DRIVER'S LICENSE #: _____ SSN # (Last four digits only): _____ DATE OF BIRTH: _____	PETITIONER'S INFORMATION	

ORDER

- ☐ The court denies the petition.
- ☐ The court grants the petition and orders that petitioner's DNA specimen and sample be destroyed and petitioner's searchable database profile be expunged from the California Department of Justice's DNA and Forensic Identification Database and Data Bank Program as required by Penal Code section 299. Additionally, the court finds (a) that petitioner has made the necessary showing at a noticed hearing, (b) no retrial or appeal of the qualifying case (if any) is pending, (c) at least 180 days have passed since petitioner notified the prosecuting attorney and the Department of Justice of petitioner's request for expungement, and (d) the court has not received an objection from the Department of Justice or the prosecuting attorney. (Pen. Code, § 299(c)(2).)

Date: _____

(JUDICIAL OFFICER)

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ADDITIONAL INSTRUCTIONS:

As required by Penal Code section 299(c)(2), the California Department of Justice must destroy petitioner's specimen and sample and expunge petitioner's searchable DNA database profile on receipt of this court order, which must also include the written petition for expungement, proof of written notice of the petition to the California Department of Justice and the prosecuting attorney, and one of the following:

- a. A certified copy of the court order reversing and dismissing the conviction or case; or
- b. A letter from the prosecuting attorney certifying that:
 - (1) no accusatory pleading has been filed;
 - (2) the qualifying charges have been dismissed before adjudication;
 - (3) petitioner has been found factually innocent;
 - (4) petitioner has been found not guilty;
 - (5) petitioner has been acquitted of the underlying offense;
 - (6) the qualifying conviction has been reversed and the case dismissed; or
 - (7) the qualifying sustained delinquency petition has been reversed and the case dismissed.